



Office of Criminal Enforcement, Forensics and Training
September 30, 2006

DEFENDANT: Wayne County Airport Authority
E.D. Michigan 06CR20300-1

FACTS: Wayne County Airport Authority (Airport Authority) operates Detroit Wayne County Metropolitan Airport. The airport maintains a number of large ponds on-site that collect storm water runoff. During winters, significant quantities of aircraft deicing fluids - primarily propylene glycol - are used on aircraft. Run-off from the deicing, which contains concentrations of the deicing materials, is collected in a separate pond identified as Pond 3W. Ordinarily, Pond 3W discharges to a sanitary sewer system that conveys the glycol-contaminated storm water to a wastewater treatment plant. In April 2001, the valve connecting Pond 3W to the sanitary sewer became clogged. Airport personnel opened a gate and outfall valve that allowed discharges directly to the Frank and Poet Drain. Some 25 million gallons of water was discharged from the airport. The discharge of the turbid, odorous water was not reported to the Southeast Michigan District Supervisor of the Surface Water Quality Division, Michigan Department of Environmental Quality as is required by the facility's NPDES Permit. The discharge, which occurred on May 16, 2001, was discovered during the course of an investigation of a fish-kill that was observed near the mouth of the waterway as it enters the Detroit River, two days after the discharge.

DATE: 05/30/2006 The defendant was charged with violating the CWA {33 U.S.C. 1319(c)(1)(A) - negligently violates the CWA}.

STATUTE: 33 U.S.C. 1319(c)(1)(A)

DATE: 05/30/2006 The defendant pled guilty to a misdemeanor violation of the CWA for negligently failing to report a discharge of pollutants, in violation of their NPDES permit.

DATE: 06/08/2006 The defendant was sentenced to 48 months probation, a special condition of that probation is that the airport will undertake and complete a "Force Main" project, which involves construction and use of a force main to connect Pond 3W at the airport to sanitary sewer lines leading to the Detroit Water and Sewerage Department's treatment plant in Detroit. Planning of this project is underway and its cost is currently estimated at approximately \$8.5 million. The defendant was also sentenced to pay a \$75,000 with an additional \$25,000 to be paid as community service to Friends of the Detroit River, a non-profit organization dedicated to conserving, preserving and restoring the watershed of the Detroit River and a special assessment fee of \$125.